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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,316	10/02/2004	Laurence John Ayling	AYL-10-PCT	4835
7590		11/27/2007	EXAMINER	
Ronald B Sherer		SMITH, MATTHEW J		
103 South Shaffer Drive		ART UNIT		
New Freedom, PA 17349		PAPER NUMBER		
		3635		
		MAIL DATE		
		11/27/2007		
		DELIVERY MODE		
		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/510,316

Applicant(s)

AYLING, LAURENCE JOHN

Examiner

Matthew J. Smith

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 39-49 is/are allowed.
- 6) ☒ Claim(s) 50 and 52-54 is/are rejected.
- 7) ☒ Claim(s) 51 and 55-59 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 50 is rejected under 35 U.S.C. 102(b) as being anticipated by Martin (935764).

Martin discloses a slips assembly comprising: tubular-gripping slips F mounted for radial movement about a tubular; moving means E, E' for moving the slips in a substantially purely radial motion; and the slips do not damage the tubular in engaging and vertically securing the tubular.

Claims 50 and 52-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Ayling (6688394).

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Ayling '394 discloses, in Figure 9, a slips assembly comprising: tubular-gripping slips 26 mounted for radial movement about a tubular 13; moving means 40A for moving the slips in a substantially purely radial motion; and the slips do not damage the tubular in engaging and vertically securing the tubular.

This reference also discloses a slips system for engaging and securing a drill string with tubulars having tool joints, each tool joint including a vertically extending surface portion and a shoulder portion, the system comprising: a first set of slips 26 positioned for movement toward and away from the vertically extending surface portion; a second set of failsafe slips 25 positioned for movement toward and away from the shoulder portion; power actuator means 40A connected to the slips for moving the first set of slips into gripping engagement with the vertical surface portions of the tubulars and for moving the second set of slips 25 into engagement with the shoulder portion; and link means 45, 46 connected between the power actuator means and the first set of slips for moving the first set of slips into engagement with a substantially purely radial, horizontal movement whereby the tool joint is not scored.

This reference further discloses a slip assembly for gripping a tubular 13 having a longitudinal axis comprising: tubular-gripping slips 26 disposed about the tubular: a support 47; means 40A mounted on the support for moving the slips radially into contact with, and away from, the tubular; and links 45 each having one end pivotally mounted on one of the slips and the other end pivotally mounted on the support, the arrangement being such that, in use, the links constrain the vertical movement of the slips such that the slips move radially and engage the tubular with a force substantially perpendicular to the longitudinal axis.

Allowable Subject Matter

Claims 39-49 are allowable.

Claims 51 and 55-59 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 12 September 2007 have been fully considered but they are not persuasive. The examiner contends Martin's slips F move radially, even if only momentarily, and thus anticipates claim 50.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee

pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shahin et al. (7140445, filed 5 March 2004) shows a radially movable slip 245.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Smith whose telephone number is 571-272-7034. The examiner can normally be reached on T-F, 8-3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard E. Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Richard E. Chilcot
Supervisory Patent Examiner
Art Unit 3635

MJS *MJS*
9 November 2007